

15 MAR 1974

H.R. 12471 (Moorhead, Erlenborn, et al) passed the House yesterday.

The bill overrules the decision in the Patsy-Mink court case. There the court held that if an agency claims the exemption of classification under the Freedom of Information Act, the court would not review the sufficiency of the classification. Under H.R. 12471 any person can seek court action to test the sufficiency of any of the exemptions claimed by an agency under the Freedom of Information Act (classified information, internal papers and memoranda, etc.). The court has the discretion to review classified information in camera or in open court.

Justice and DOD submitted written comments and opposed the bill.

No Agency comments were requested; however, Justice presented strong arguments against court review of the sufficiency of a classification.

VOTE 383 for 8 against

Bill Young (R. Fla) only member who took firm stand against bill on grounds of national security.

not executive privilege